REMARKS

Claims 1-10 were examined and reported in the Office Action. Claims 1-10 are rejected. Claims 1-10 remain.

Applicants request reconsideration of the application in view of the following remarks.

I. 35 U.S.C. §102(b)

It is asserted in the Office Action that claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,601,686 issued to Kawamura et al ("Kawamura"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2131,

> '[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Applicant's amended claim 1 contains the limitations

> a plurality of electron beam lithography chambers, each of which is connected to the transfer chamber and includes a multicolumn portion; and input and output loadlock chambers, each of which is connected to the transfer chamber, wherein the plurality of electron beam lithography chambers and the input and output loadlock chambers are connected to the transfer chamber, forming a cluster, and a plurality of wafers are respectively loaded into the plurality of electron beam lithography chambers so as to drive the electron beam lithography chambers at the same time, and the plurality of wafers are processed in the plurality of electron beam lithography chambers at the same time.

Kawamura discloses a plurality of process chambers where each chamber performs a number of semiconductor lithography processes including an electron beam lithography process. Kawamura, however, does not teach, disclose or suggest that a plurality of wafers is processed in a plurality of electron beam lithography chambers at the same time. That is, the wafer in Kawamura is processed by a chamber and then transferred by the transport chamber to another process chamber. Therefore, Kawamura does not teach, disclose or suggest "a plurality of wafers are respectively loaded into the plurality of electron beam lithography chambers so as to drive the electron beam lithography chambers at the same time, and the plurality of wafers are processed in the plurality of electron beam lithography chambers at the same time."

Since Kawamura does not disclose, teach or suggest all of Applicant's amended claims XXX limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(b) has not been adequately set forth relative to Kawamura. Thus, Applicant's amended claim 1 is not anticipated by Kawamura.

Accordingly, withdrawal of the 35 U.S.C. §102(b) rejection for claim 1 is respectfully requested.

II. 35 U.S.C. § 103(a)

A. It is asserted in the Office Action that claims 1-4 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Kawamura and U. S. Patent No. 6,461,986 issued to Hashiguchi et al ("Hashiguchi"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

> According to MPEP §2142
>
> [t]o establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both

> be found in the prior art, and not based on applicant's disclosure. (In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Further, according to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." "*All words in a claim must be considered* in judging the patentability of that claim against the prior art." (In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), emphasis added.)

Applicant has addressed Kawamura above in section I regarding amended claim 1. As asserted above, Kawamura does not teach, disclose or suggest "a plurality of wafers are respectively loaded into the plurality of electron beam lithography chambers so as to drive the electron beam lithography chambers at the same time, and the plurality of wafers are processed in the plurality of electron beam lithography chambers at the same time."

Hashiguchi discloses a method and apparatus for processing a substrate. Hashiguchi does not teach, disclose or suggest processing a plurality of wafers simultaneously. That is, Hashiguchi does not teach, disclose or suggest "a plurality of wafers are respectively loaded into the plurality of electron beam lithography chambers so as to drive the electron beam lithography chambers at the same time, and the plurality of wafers are processed in the plurality of electron beam lithography chambers at the same time."

Neither Kawamura, Hashiguchi, and therefore, nor the combination of the two, teach, disclose or suggest the limitations contained in Applicant's amended claim 1, as listed above. Since neither Kawamura, Hashiguchi, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended claim 1, Applicant's amended claim 1 is not obvious over Kawamura in view of Hashiguchi since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from amended claim 1, namely claims 2-4, would also not be obvious over Kawamura in view of Hashiguchi for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 1-4 are respectfully requested.

B. It is asserted in the Office Action that claims 5-10 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Kawamura and U. S. Patent No. 6,593,152 issued to Nakasuji et al ("Nakasuji").

Applicant's claims 5-10 either directly or indirectly depend on amended claim 1. Applicant has addressed Kawamura above in section I regarding amended claim 1. As asserted above, Kawamura does not teach, disclose or suggest "a plurality of wafers are respectively loaded into the plurality of electron beam lithography chambers so as to drive the electron beam lithography chambers at the same time, and the plurality of wafers are processed in the plurality of electron beam lithography chambers at the same time."

Nakasuji discloses an electron beam apparatus for that can detect defects and/or line width measurement of a wafer during semiconductor manufacturing. Nakasuji, however, does not teach, disclose or suggest "a plurality of wafers are respectively loaded into the plurality of electron beam lithography chambers so as to drive the electron beam lithography chambers at the same time, and the plurality of wafers are processed in the plurality of electron beam lithography chambers at the same time."

Neither Kawamura, Nakasuji, and therefore, nor the combination of the two, teach, disclose or suggest the limitations contained in Applicant's amended claim 1, as listed above. Since neither Kawamura, Nakasuji, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended claim 1, Applicant's amended claim 1 is not obvious over Kawamura in view of Nakasuji since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from amended claim 1, namely claims 5-10, would also not be obvious over Kawamura in view of Nakasuji for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 10-15 are respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1-10, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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Dated: February 27, 2006

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on February 27, 2006.

Jean Svoboda